BRIAN SANDOVAL Governor

MEMBERS

Jan B. Leggett, Chairman Kevin E. Burke Margaret Cavin Mason Gorda Joe Hernandez Kent Lay Guy M. Wells

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING December 14, 2016

REPLY TO:

Southern Nevada 2310 Corporate Circle Suite 200 Henderson, Nevada 89074 (702) 486-1100 Fax (702) 486-1190 Investigations (702) 486-1110

www.nscb.nv.gov

Northern Nevada 9670 Gateway Drive, Suite 100 Reno, Nevada 89521 (775) 688-1141 Fax (775) 688-1271 Investigations (775) 688-1150

CALL TO ORDER:

Jack Juan, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, December 14, 2016, State Contractors Board, Henderson and Reno, Nevada. <u>Exhibit A</u> is the Meeting Agenda and <u>Exhibit B</u> is the Sign in Log.

ADMINISTRATIVE LAW JUDGE:

Mr. Jack Juan, Esq.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer

Mr. Paul Rozario, Director of Investigations

Mr. George Lyford, Associate Director

Mr. Ron Lynn, Director of Operations

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on December 8, 2016, at Paseo Verde Library, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADMINISTRATIVE LAW JUDGE: JACK JUAN, ESQ.

1. DISCIPLINARY HEARING:

HERNANDEZ LAWN CARE & LANDSCAPING, LLC, License No. 71149A

Licensee was not present but was represented by Steven Bus, Esq. at the hearing.

ALJ Juan continued this matter to January 18, 2017.

2. DISCIPLINARY HEARING:

ION PETRINCA, OWNER, dba ALL REPAIRS, License No. 68916

Licensee was present but not represented by counsel at the hearing.

ALJ Juan continued this matter to January 18, 2017.

U. S. RENEWABLE ENERGY DEVELOPMENT, LLC, License No. 75882

A. M. O. ELECTRIC, LLC, License No. 72917

Licensee was present and represented by Shannon Wilson, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 - Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated November 9, 2016.

Upon the Stipulation of the parties, ALJ Juan dismissed the First, Second and Fourth Causes of Action. The Respondent is to provide a current compliant financial statement with bank verification form for all cash accounts that supports the license limit within sixty (60) days of the December 14, 2016 hearing. Respondent's license, number 75882 was suspended until the financial statement is provided. If the financial statement supports the license limit, the Third Cause of Action shall be dismissed. This matter was continued to February 15, 2017.

4. DISCIPLINARY HEARING:

T. L. TOWNSEND BUILDERS, LLC, dba TOWNCO CONSTRUCTION GROUP, License No. 79651

Licensee was present and represented by Georlen Spangler, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 - Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A - Respondent's Answer to the Board's Complaint dated November 9, 2016.

Upon the Stipulation of the parties, ALJ Juan found Respondent guilty of one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State; one (1) violation of NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; and one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts. Respondent was assessed a fine of \$1,000.00 for the Fourth Cause of Action; a fine of \$500.00 for the Fifth Cause of Action; a fine of \$100.00 for the Sixth Cause of Action for total fines of \$1,600.00 and investigative costs of \$1,566.00. Fines and costs are due within sixty (60) days of the December 14, 2016 hearing or license number 79651 shall be suspended. Respondent shall complete the AD Investment project within sixty (60) days and provide a Certificate of Occupancy within this time frame. Respondent shall provide weekly updates to Board Investigator Ernesto Talavera. Respondent shall provide a current compliant financial statement that supports the license limit within sixty (60) days of the December 14, 2016 hearing of the license shall be revoked. If Respondent fails to provide the requested financial statement by December 31, 2016, license number 79651 shall be suspended until the financial statement is provided. The First, Second and Third Causes of Action are held in abeyance until February 15, 2017.

5. DISCIPLINARY HEARING:

V. F. & I. INC., License No. 76243

V. F. & I., INC., dba V. F. & I., INC., License Nos. 76240, 76241, 76242

V. F. & I., INC., dba VEGAS REMODELING, License No. 80964

Licensee was present and represented by Georlen Spangler, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Page 6 of a bank statement from Wells Fargo for Ronen Benkel.

The following Licensee Exhibits were entered:

Exhibit A-1 – Respondent's Answer to the Board's Complaint dated September 29, 2016.

Exhibit A-2 – Respondent's Hearing Exhibits dated December 5, 2016.

Exhibit A-3 - Respondent's Supplemental to Hearing Exhibits.

Exhibit A-4 – A letter from Respondent's attorney to the Board's attorney dated December 12, 2016 with attachments.

ALJ Juan found Respondent guilty of two (2) violations of NRS 624.3014(2)(a), (b), (c), (d) aiding or abetting an unlicensed person to evade the provision of this chapter, conspiring with an unlicensed person to perform an unauthorized act, allowing a license to be used by an unlicensed person, and acting as agent, partner or associate of an unlicensed person; one (1) violation of NRS 624.3014(2)(a) and (b) aiding or abetting an unlicensed person to evade the provisions of this chapter and conspiring with an unlicensed person to perform an unauthorized act; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. The First and Third Causes of Action were dismissed. Respondent was assessed a fine of \$7,500.00 each for the Second and Fourth Causes of Action; a fine of \$3,000.00 for the Fifth Cause of Action for total fines of \$18,000.00 and investigative costs of \$2,628.00. Fines and costs are due within thirty (30) days of the December 14, 2016 hearing or license numbers 76243, 76242, 76241, 76240 and 80964 shall be suspended. The \$1,000,000.00 license limit on Respondent's B-2 license, number 80964 shall be reduced to \$420,000.00.

6. DISCIPLINARY HEARINGS: DEFAULT ORDERS

a. TONY S. AZIZ, OWNER, dba HONEST HOME IMPROVEMENT, License No. 72069

Licensee was present but not represented by counsel at the hearing.

ALJ Juan continued this matter to January 18, 2017.

b. VEGAS LAMINATE HARDWOOD FLOORS, LLC, dba E. C. FLOORING, License Nos. 74409, 69998

Licensee was present but not represented by counsel at the hearing.

ALJ Juan continued this matter to February 15, 2017.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by ALJ Juan at 12:23 p.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Jack Juan Esq., Administrative Law Judge